

Message Text

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APPROVED BY EUR/WE:EJBEIGEL

PM/NPO - MR. OPLINGER

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS IMMEDIATE

UNCLAS STATE 200856

E.O. 11652: N/A

TAGS: TECH, FR, US

SUBJECT: TEXT OF SYMINGTON AMENDMENT ON NUCLEAR
REPROCESSING

REF: PARIS 23422

1. PUBLIC LAW 94-329, SIGNED JUNE 30, THE INTERNATIONAL
SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976,
CONTAINS SECTION 305, KNOWN AS SYMINGTON AMENDMENT. THIS
AMENDMENT ADDS SECTION 669 TO THE FOREIGN ASSISTANCE ACT
OF 1961 AND READS AS FOLLOWS:

BEGIN TEXT: SEC. 669 NUCLEAR TRANSFERS. -- (A) EXCEPT AS
PROVIDED IN SUBSECTION (B), NO FUNDS AUTHORIZED TO BE
APPROPRIATED BY THIS ACT OR THE ARMS EXPORT CONTROL ACT
MAY BE USED FOR THE PURPOSE OF --

(1) PROVIDING ECONOMIC ASSISTANCE;

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(2) PROVIDING MILITARY OR SECURITY SUPPORTING ASSISTANCE OR

GRANT MILITARY EDUCATION AND TRAINING; OR

(3) EXTENDING MILITARY CREDITS OR MAKING GUARANTEES;

TO ANY COUNTRY WHICH --

-- (A) DELIVERS NUCLEAR REPROCESSING OR ENRICHMENT EQUIPMENT, MATERIALS, OR TECHNOLOGY TO ANY OTHER COUNTRY; OR

-- (B) RECEIVES SUCH EQUIPMENT, MATERIALS OR TECHNOLOGY FROM ANY OTHER COUNTRY;

UNLESS BEFORE SUCH DELIVERY --

-- (I) THE SUPPLYING COUNTRY AND RECEIVING COUNTRY HAVE REACHED AGREEMENT TO PLACE ALL SUCH EQUIPMENT, MATERIALS, AND TECHNOLOGY, UPON DELIVERY, UNDER MULTILATERAL AUSPICES AND MANAGEMENT WHEN AVAILABLE; AND

-- (II) THE RECIPIENT COUNTRY HAS ENTERED INTO AN AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY TO PLACE ALL SUCH EQUIPMENT, MATERIALS, TECHNOLOGY, AND ALL NUCLEAR FUEL AND FACILITIES IN SUCH COUNTRY UNDER THE SAFEGUARDS SYSTEM OF SUCH AGENCY.

(B)(1) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, THE PRESIDENT MAY, BY EXECUTIVE ORDER EFFECTIVE NOT LESS THAN 30 DAYS FOLLOWING ITS DATE OF PROMULGATION, FURNISH ASSISTANCE WHICH WOULD OTHERWISE BE PROHIBITED UNDER PARAGRAPH (1), (2), OR (3) OF SUCH SUBSECTION IF HE DETERMINES AND CERTIFIES IN WRITING TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FOREIGN RELATIONS OF THE SENATE THAT --

-- (A) THE TERMINATION OF SUCH ASSISTANCE WOULD HAVE A SERIOUS ADVERSE EFFECT ON VITAL UNITED STATES INTERESTS; AND

-- (B) HE HAS RECEIVED RELIABLE ASSURANCES THAT THE COUNTRY IN QUESTION WILL NOT ACQUIRE OR DEVELOP NUCLEAR WEAPONS OR ASSIST OTHER NATIONS IN DOING SO.

SUCH CERTIFICATION SHALL SET FORTH THE REASONS SUPPORTING SUCH DETERMINATION IN EACH PARTICULAR CASE.

(2) (A) THE CONGRESS MAY BY JOINT RESOLUTION TERMINATE OR RESTRICT ASSISTANCE DESCRIBED IN PARAGRAPHS (1) THROUGH UNCLASSIFIED

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(3) OF SUBSECTION (A) WITH RESPECT TO A COUNTRY TO WHICH THE PROHIBITION IN SUCH SUBSECTION APPLIES OR TAKE ANY OTHER ACTION WITH RESPECT TO SUCH ASSISTANCE FOR SUCH COUNTRY AS IT DEEMS APPROPRIATE.

(B) ANY SUCH JOINT RESOLUTION WITH RESPECT TO A COUNTRY SHALL, IF INTRODUCED WITHIN 30 DAYS AFTER THE TRANSMITTAL OF A CERTIFICATION UNDER PARAGRAPH (1) WITH RESPECT TO

SUCH COUNTRY, BE CONSIDERED IN THE SENATE IN ACCORDANCE
WITH THE PROVISIONS OF SECTION 601(B) OF THE INTERNATIONAL
SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976."
END TEXT.

2. WE WILL POUCH RELEVANT BACKGROUND TO GAMMON. KISSINGER

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